IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants   :   Tadahiro Ohata, et al.

Serial No.   :   09/903,014

For   :   DIGITAL BROADCAST SIGNAL PROCESSING
                           APPARATUS AND DIGITAL BROADCAST SIGNAL
                           PROCESSING METHOD

Filed   :   July 11, 2001

Examiner   :   Lu, Shirley

Art Unit   :   2612

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November 21, 2006.

Thomas F. Presson, Reg. No. 41, 442

Name of Applicant, Assignee or Registered Representative
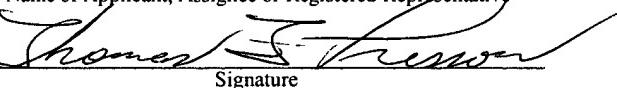
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November 21, 2006
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request review of the Final Rejection dated July 12, 2006 in the above-
captioned application. No amendments are being filed with this request. This request is being
filed with a Notice of Appeal. Please consider the reasons stated herein.

00411179

REASONS FOR REQUEST

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 2, 7-9, 12-14, 23, 24, 28-31, 34-36, 45-47 and 49 are pending. Claims

1, 2, 9, 12, 23, 24, 28, 31, 34, 45-47 and 49 are independent. It is submitted that these claims, as

originally presented, were in full compliance with the requirements of 35 U.S.C. §112.

II.   REJECTIONS UNDER 35 U.S.C. §102(e) and §103(a)

Claims 1-4, 7, 9, 10, 12, 13, 23-26, 28, 29, 31, 32, 34, 35, 45-47 and 49 were

rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,195,090 to

Riggins, III (hereinafter, merely "Riggins").

Claims 8, 14, 30 and 36 were rejected under 35 U.S.C. §103(a) as allegedly

unpatentable over Riggins in view of US 2005/0198668 A1 to Yuen, et al. (hereinafter, merely

"Yuen").

Claim 1 recites, *inter alia*:

"A digital broadcast signal processing apparatus comprising:...

a multiplex processing section for multiplexing GPS
position information received from the movable body **and GPS
position information received from an imaging apparatus on a
digital broadcast signal of a corresponding program**."
(Emphasis added)

As understood by Applicants, Riggins relates to an interactive sporting event

monitoring system which includes a determiner for determining whether video blanking interval

data is present in a selected television channel and a decoder for decoding video blanking

interval data from the selected television channel. The interactive sporting event monitoring

system further includes a user input for accepting a user-specified channel identifier from a user,

and a monitor for placing the channel of sporting-event audio information that the user desires

to monitor in a format to facilitate monitoring thereof by a user. The video blanking interval

data may further include telemetry data.

Applicants respectfully submit that Riggins does not teach or suggest the above-

identified features of claim 1. Specifically, Riggins does not teach or suggest a digital broadcast

signal processing apparatus comprising a multiplex processing section for multiplexing GPS

position information received from the movable body and GPS position information received

from an imaging apparatus on a digital broadcast signal of a corresponding program, as recited

in independent claim 1.

Riggins teaches on column 9, line 50, that "telemetry data includes parametric

data from automobile engines, contestants, etc." On column 9, line 60, Riggins further teaches

that "telemetry data can be treated as either alpha-numeric information or graphic information."

As understood by applicants, even though the telemetry data, as taught by Riggins, can be

treated as alpha-numeric information or graphic information, it is merely statistical information.

The telemetry data, as taught by Riggins, does not anticipate GPS position information of the

imaging apparatus. Column 12, line 7, states that "a near video quality three-dimensional model

of the actual racetrack and competing vehicles can be generated using the telemetry data."

Riggins does not teach or suggest that the model shows the GPS position of the imaging

apparatus, as recited in claim 1.

Further, Yuen is relied upon solely to meet the "profile information includes

uniform resource locator (URL) information or mail address information" limitation found in

dependent claims 8, 14, 30 and 36. However, Yuen fails to meet the same independent claim

limitations discussed above in relation to Riggins. Accordingly, the combination of Riggins and

Yuen fails to obviate the present invention for the same reasons argued above.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard

to independent claim 1, independent claims 2, 9, 12, 23, 24, 28, 31, 34, 45-47 and 49 are also

believed to be patentable.

The other claims in this application are each dependent on an independent claim

discussed above, and are therefore believed patentable for at least the same reasons. Since each

dependent claim is also deemed to define an additional aspect of the invention, however, the

individual reconsideration of the patentability of each on its own merits is respectfully requested.

Please charge any additional fees that may be needed, and credit any

overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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